

EXHIBIT C

FILED
Superior Court of California
County of Los Angeles

JUL 20 2018

Sherri R. Carter, Executive Officer/Clerk

By Kelly Jameson, Deputy

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

KEVIN RISTO, on behalf of himself and all others
similarly situated,

Plaintiff(s),

vs.

SCREEN ACTORS GUILD-AMERICAN
FEDERATION OF TELEVISION AND RADIO
ARTISTS, a Delaware corporation; et al.

Defendant(s).

Case No.: BC710739

**INITIAL STATUS CONFERENCE
ORDER
(COMPLEX LITIGATION
PROGRAM—CLASS ACTIONS)**

Case Assigned for All purposes to
Judge Elihu M. Berle

Department 6

Date: September 17, 2018

Time: 11:00 a.m.

This case has been assigned for all purposes to Judge Elihu M. Berle in the Complex Litigation Program. An Initial Status Conference is set for September 17, 2018, at 11:00 a.m. in Department 6 located in the Los Angeles Superior Courts at United States Court House at 312 N. Spring Street, Los Angeles, California 90012. Counsel for all parties are ordered to attend.

Plaintiff's counsel is directed to serve a copy of this Initial Status Conference Order on all parties, within five (5) days of service of this order. If any defendant has not yet been served in this action, service is to be completed within twenty (20) days of the date of this order.

1 The Court orders counsel to prepare for the Initial Status Conference by identifying
 2 and discussing the central legal and factual issues in the case. Counsel for plaintiff is
 3 ordered to initiate contact with counsel for defense to begin this process. Counsel then
 4 must negotiate and agree, as possible, on a case management plan.

5 Counsel must file a Joint Initial Status Statement five (5) court days before the
 6 Initial Status Conference. The Joint Response Statement must be filed on line-numbered
 7 pleading paper and must specifically answer each of the below numbered items. Do not
 8 use the Judicial Council Form CM-110 (Case Management Statement).

- 9 **1. PARTIES AND COUNSEL:** Please list all presently-named Plaintiff class
 10 representatives and presently-named defendants, together with all counsel of
 11 record, including counsel's contact and email information.
- 12 **2. ELECTRONIC SERVICE OF PAPERS:** For efficiency, the complex
 13 program requires the parties in every new case to use a third party cloud service,
 14 such as:
 15 ■ Case Anywhere (www.caseanywhere.com),
 16 ■ CaseHomePage (www.casehomepage.com), or
 17 ■ File&ServeXpress (www.lexisnexis.com/fileandserve).

18 The parties are to select one of these vendors and submit the parties' choice
 19 when filing the Joint Initial Status Conference Class Action Response Statement.
 20 If the parties cannot agree, the court will select the vendor at the Initial Status
 21 Conference. Electronic service is not the same as electronic filing. Only
 22 traditional methods of filing by physical delivery of original papers or by fax
 23 filing are presently acceptable.

- 24 **3. CLAIMS AND DEFENSES:** Set forth a brief description of the core factual
 25 and legal issues, derived from Plaintiff's claims and defendant's defenses.

- 26 **4. POTENTIAL ADDITIONAL PARTIES:** Does any plaintiff presently
 27 intend to add more class representatives? If so, and if known, by what date and by what
 28

1 name? Does any plaintiff presently intend to name more defendants? If so, and if known,
2 by what date and by what name? Does any appearing defendant presently intend to file a
3 cross-complaint? If so, who will be named?

4 **5. IMPROPERLY NAMED DEFENDANT(S):** Does any party contend that
5 the complaint names the wrong person or entity, please explain.

6 **6. ADEQUACY OF PROPOSED CLASS REPRESENTATIVE(S):** Does
7 any party contend one or more named plaintiffs might not be an adequate class
8 representative. If so, please explain.

9 **7. ESTIMATED CLASS SIZE:** What is the estimated size of the putative
10 class?

11 **8. OTHER ACTIONS WITH OVERLAPPING CLASS DEFINITIONS:**
12 Are there other cases with overlapping class definitions? If so, please identify the court, the
13 short caption title, the docket number, and the case status.

14 **9. ARBITRATION AND/OR CLASS ACTION WAIVER CLAUSES:**
15 Does any party contend there is an arbitration and/or class action waiver. If so, please
16 discuss.

17 **10. POTENTIAL EARLY CRUCIAL MOTIONS:** Are there any issues that
18 can be identified and resolved early. If so, please identify and set forth proposed vehicles
19 for resolution.

20 **PLEASE NOTE:** By stipulation a party may move for summary adjudication
21 of a legal issues or a claim for damages that does not completely dispose of a cause of
22 action, an affirmative defense, or an issue of duty. (C.C.P. § 437c(t)).

23 **11. PROTECTIVE ORDERS:** Parties considering an order to protect
24 confidential information from general disclosure should begin with the model protective
25 orders found on the Los Angeles Superior Court Website under "Civil Tools for
26 Litigators."

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28 **12. DISCOVERY:** Counsel are to discuss a plan of discovery. Prior to

certification, the court generally allows discovery on matters relevant to class certification, which depending on circumstances, sometimes may include some factual issues also touching the merits.

13. INSURANCE COVERAGE: Please state (1) if there is insurance for indemnity or reimbursement, and (2) whether there are any insurance coverage issues which might affect settlement.

14. ALTERNATIVE DISPUTE RESOLUTION: Counsel are requested to discuss ADR and proposed neutrals to conduct such proceedings.

15. TIMELINE FOR CASE MANAGEMENT: Counsel to propose future dates for:

- The next status conference,
- A schedule for alternative dispute resolution,
- A filing deadline for the motion for class certification, and
- Filing deadlines and descriptions for other anticipated non-discovery motions.

PENDING FURTHER ORDERS OF THIS COURT, and except as otherwise provided in this Initial Status Conference Order, *these proceedings are stayed, except for service of summons and complaint and filing of Notice of Appearance.* This stay shall preclude the filing of any answer, demurrer, motion to strike, or motions challenging the jurisdiction of the Court. Any defendant may file a Notice of Appearance for purposes of identification of counsel and preparation of a service list. The filing such a Notice of Appearance shall be without prejudice to any challenge to the jurisdiction of the Court, substantive or procedural challenges to the Complaint, any affirmative defense, and the filing of any cross-complaint in this action. This stay is issued to assist the Court and the parties in managing this “complex” case. Although the stay applied to discovery, this stay shall not preclude the parties from informally exchanging documents that may assist in

1 their initial evaluation of the issues presented in this case.
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5 Dated:

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HON. ELIHU M. BERLE
JUDGE OF THE SUPERIOR COURT